

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHAEL CHRISTIANSON,

Petitioner,

Case Number: 25-11103  
Honorable Mark A. Goldsmith

v.

ERIC RARDIN,

Respondent.

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**OPINION AND ORDER DISMISSING CASE WITHOUT PREJUDICE**

Petitioner Michael Christianson, confined at the Federal Correctional Institution in Milan, Michigan, has filed an Application to Exceed Twenty-Five Page Maximum in Brief (Dkt. 1). The matter has been docketed as a habeas corpus petition. The Court will dismiss the case without prejudice because a petitioner may not commence a habeas action by filing a motion, see Federal Rule of Civil Procedure 3 and Rule 2(c) and (d), Rules Governing Section 2254 Cases in the United States District Courts.

Christianson states that he plans to file a habeas corpus petition pursuant to 28 U.S.C. § 2241, but the memorandum of law in support of his application is 50 pages (Dkt. 1, PageID.1). He is concerned that this violates Local Rule 7.1(d)(3), which imposes a twenty-five-page limit on briefs filed in support of a motion or response. See E.D. Mich. LR 7.1(d)(3).

Federal Rule of Civil Procedure 3 explains that “[a] civil action is commenced by filing a complaint.” Fed. R. Civ. P. 3. The Supreme Court has held that, “[t]he logical conclusion, therefore, is that a habeas suit begins with the filing of an application for habeas corpus relief – the equivalent of a complaint in an ordinary civil case. Woodford v. Garceau, 538 U.S. 202, 208

(2003). Christianson's motion fails to comply with this requirement and the case will be dismissed on that basis. The Court notes that neither the Rules Governing § 2254 Cases (which may be applied to cases filed under § 2241), nor the Local Rules for the Eastern District of Michigan impose page limits for a habeas petition.

For the reasons set forth above, the Court dismisses this case without prejudice.

SO ORDERED.

Dated: May 2, 2025  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge